

4.

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

RODNEY HARVEY,

Plaintiff,

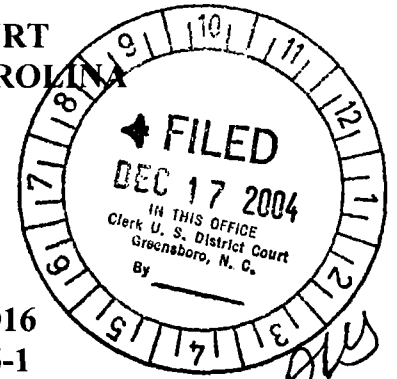
v.

UNITED STATES OF AMERICA,

Defendant.

1:04CV01016

1:03CR105-1

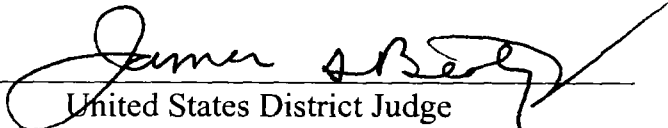


J-U-D-G-M-E-N-T

On November 3, 2004, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636(b). No objections were received by the court within the time prescribed by the statute.

The court hereby adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED AND ADJUDGED that Plaintiff's motion for return of property [Pleading No. 1] be, and is hereby, dismissed without prejudice to Plaintiff filing a civil complaint, on the proper Motion for Return of Property forms, correcting the defects set out in the Order and Recommendation.


United States District Judge

Date: 12-17-04